ZB# 75-30

Kanaje Corporation

Public Hearing –
October 6th – 8:30
Hearing Notice to
Paper on Sept. 25th –
Published on 9/21/16.
Octo fees paid
OCED Notified 39/26/15.

, , GI	ENERAL	RECEIPT	2569.	ra t
Town of New Windsor, N. Y.		Se	pt 29	, 19 <u>75</u>
Received of Manaje Con	100/100			. 00 Dollars
For Tarushice Opplis	cation			
FUND CODE AMOUN	IT	By Charlots	t Marcanto	nia
25 Ceck			bleputy	
WILLIAMSON LAW BOOK CO., ROCHESTER, N. Y. 14609			TITLE	

The state of the s

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

. !------

In the Matter of the Application of

KANAJE CORP.

for Special Permit - #75-30.

DECISION GRANTING A SPECIAL PERMIT FOR MULTI FAMILY RESIDENCE DEVELOPMENT

WHEREAS KANAJE CORPORATION, 323 N. Main Street, Spring Valley,
New York 10977 filed an application for a Special Permit for its property
located along Route 9W in the Town of New Windsor, which property is more
specifically identified as Tax Map 37-1-2 and 4; and Tax Map 48-2-part of 6, and
which property encompasses approximately 57.422 acres; and

WHEREAS the applicant corporation purchased the property on January 31, 1973 and the property lies in an R-5 zone, which zone permits building of multi family residence units by Special Permit of the Zoning Board of Appeals; and

WHEREAS a public hearing on the application for a Special Permit was held by the Zoning Board of Appeals on the 6th day of October, 1975 at the Town Hall of the Town of New Windsor after due notice by publication and due notice by certified mail to residents and businesses within 500 feet of the subject premises; and

WHEREAS at said public hearing the petitioning corporation was represented by Samuel Shecter, President and Vincent Q. Giffuni, Vice President, and 14 persons having appeared at the public hearing, and said persons appearing at the public hearing not having voiced objection to the proposed development scheme but only to the use of Lafayette Drive; and

WHEREAS the Zoning Board of Appeals makes the following findings of fact in this application:

- (1) There is on file and on record in the Orange County Clerk's Office a restrictive covenant running from KANAJE CORPORATION to the Town of New Windsor covering the land in point which provides that not more than 342 units will be constructed on the site, and that approximately 28 acres will be turned over to the town for recreational purposes as soon as the first building permit is issued for condominium construction; and the historic mansion on the site will be left in tact and rehabilitated; and a scenic overlook will be provided for towns people.
- (2) The development as proposed will retain the existing mansion on the site as well as the circular roadway and the beautiful trees; and the siting of the new buildings is intended to afford each unit a view of the river.
- (3) The multi family residential units will conform with the New York State and New Windsor Building Codes.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor hereby grants a Special Permit to Kanaje Corporation to construct not more than 342 condominium units on its property on Old Route 9W in the Town of New Windsor, which property is also known as the Oakland Academy site; provided that the development scheme not show an access or egress road or approach by means of Lafayette Drive in the Town of New Windsor.

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the attorney for the applicant corporation, the applicant corporation, the Town Planning Board, and the Town Clerk.

Clo

Dated: October 20 , 1975.

THEODORE JARGSTORF, Chairman

555 Union Avenue New Windsor, N.Y. October 22, 1975

Mr. Vincent Giffuni Kanaje Corporation 323 N. Main Street Spring Valley, N.Y. 10977

RE: APPLICATION FOR SPECIAL PERMIT - #75-30-KANAJE CORPORATION

Dear Mr. Giffuni:

Whiteosed please find conformed copy of formal decision of the Board regarding the above application for a variance which was brought before the Zoning Board of Appeals on October 6, 1975 at a public hearing.

Yours truly,

PATRICIA DELIO, Secretary

/dp

Enclosure

555 Union Avenue New Windsor, N. Y. 12550 October 7, 1975

Mr. Vincent Eiffuni Kanaje Corporation 323 N. Main Street Spring Valley, N. Y. 10977

RE: APPLICATION FOR SPECIAL PERMIT - #75-30

Dear Mr. Giffuni:

This is to confirm that the above application for special permit of Kanaje Corporation was granted at the October 6th, 1975 public hearing before the Zoning Board of Appeals. Also be advised that a formal decision will follow in the mail as soon as same has been adopted by the ZBA.

Yours truly,

PATRICIA DELIO, Secretary

/pd

Mary Comment of the second

cc: Howard Collett, Bldg. Inspector

Joseph Loscalzo, Chairman New Windsor Planning Board

TOWN OF NEW WINDSOR

ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

		,
		Sept. 23, 1975 (Date)
I.	App	licant information:
	(a)	KANAJE CORPORATION, 323 N. Main St., Spring Valley, N.Y. 10977 - 914-356-4800 (Name, address and phone of Applicant)
	(b)	Not Applicable (Name, address and phone of purchaseror lessee)
	(c)	Arthur Winoker, 323 N. Main St., Spring Valley, N.Y. 10977 - 914-356-4800 (Name, address and phone of attorney)
	(d)	Not Applicable (Name, address and phone of broker)
II.	App	lication type:
		Use variance
		Area variance
		Sign variance
	X	Special permit
ıı.	Pro	perty information: 37-1 - 264 48-2 - part of 6
	(a)	$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$
	(b)	What other zones lie within 500 ft.? R-4, NC, PI
	(c)	Is a pending sale or lease subject to ZBA approval of this application? No
	(d)	When was property purchased by present owner? Jan. 31, 1973
	(e)	Has property been subdivided previously? No When? -
	(f)	Has property been subject of variance or special permit . previously? No When? -
	(g)	Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No . If so, when

75 −30 (Number)

Sept. 23, 1975 (Date)

	(a)	KANAJE CORPORATION, 323 N. Main St., Spring Valley, N.Y. 10977 - 914-356-480 (Name, address and phone of Applicant)
	(1-1	
	(a)	Not Applicable (Name, address and phone of purchaseror lessee)
	(c)	Arthur Winoker, 323 N. Main St., Spring Valley, N.Y. 10977 - 914-356-4800 (Name, address and phone of attorney)
	(d)	Not Applicable (Name, address and phone of broker)
EI.	App	lication type:
		Use variance
		Area variance
		Sign variance
	X	Special permit
ıı.	Pro	perty information: 37-1 - 264
		$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$
	(b)	What other zones lie within 500 ft.? R-4, NC, PI
	(c)	Is a pending sale or lease subject to ZBA approval of this application? No
	(d)	When was property purchased by present owner? Jan. 31, 1973
	(e)	Has property been subdivided previously? No When? -
	(f)	Has property been subject of variance or special permit . previously? No When?
	(g)	Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No . If so, when Is there any outside storage at the property now or is any proposed?
		are coming inspector. No . It so, when .

² _5t. Mi seat the participal place to the seat the s

report by the medical property and the contract

Part of the second of the seco

	3,"	J 1 7 4 5	
,	·	+	
			- 2 -
Iv	. U	Ise	variance:
	((a)	Use Variance requested from New Windsor Zoning Local Law, Section, Table, Column, to allow
			Not Applicable (Describe proposed use)
	•		*
		(b)	The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.
	•	•	Not Applicable
J v.	. i	Are	a version des. Not Amuliachle
and .			a variance: Not Additable
		(a)	a variance: Not Applicable Area variance requested from New Windsor Zoning Local Law,
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column
		(a)	Area variance requested from New Windsor Zoning Local Law,
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column Proposed or
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column Requirements Proposed or Available Variance Request Min. Lot Area
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column Requirements Proposed or Available Variance Request Min. Lot Area
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column Requirements
		(a)	Area variance requested from New Windsor Zoning Local Law, Section, Table, Column

* Residential districts only

			Not Applicable	μĖ	
			(Describe proposed use)		
					th Phonocon the committee and his work the product of the control
				······································	
					4
	•				
		(b)	The legal standard for a "US hardship. Describe why you will result unless the use set forth any efforts you hardship other than this appropriate the standard standa	u feel unneces variance is gr ave made to al	sary hardship anted. Also
		·	Not Applicable		
	1				
	4			-	
	i				
		l .			
7	٧.	71	a manian na a Nat Amaliashla		
ari)	V •		a variance: Not Applicable Area variance requested from	m Now Windsor	Zoning Logal Law
		(a)	Section, Table	_, Column	
			Requirements	Proposed or Available	Variance Request
			Min. Lot Area		
			Min. Lot Width		manuscus (Finish sense sense sense sense sense sense sense (FFF) sense s
			Reqd. Front Yard		
			Reqd. Side Yards		
			Reqd. Rear Yard		<u> </u>
			Reqd. Street Frontage*		
			Max. Bldg. Hgt.		
		ŧ			
		i	Min. Floor Area* Development Coverage* %		
		i.	Min. Floor Area*		<u> </u>

^{**} Non-residential districts only

X	VII.	Spec	cial Permit:
		(a)	Special permit requested under New Windsor Zoning Local Law, Section 5.8.6, Table Sect.3.2, Column B.
		(b)	Describe in detail the use and structures proposed for the special permit.
			Multi-family residential units to conform with New York State
			and New Windsor Building Codes.
			· .
X	VIII.	Add	itional comments:
		(a)	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
			Development will retain existing mansion, circular roadway and adjoining
			trees. Siting of new buildings is intended to afford each unit a view
			of the river and permit pedestrian traffic to have complete access to the
			site. Circular roadway is to be re-built to Town specifications and be
			dedicated so that all Town residents may enjoy the vista.
Peterson P			
X.	IX.	Att	achments required:
			Copy of letter of referral from Building and Zoning Inspector.
			Copy of contract of sale, lease or franchise agreement.
		<u>X</u>	Copy of tax map showing adjacent properties
		_X	Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
			Copy(ies) of sign(s) with dimensions.
		X	Check in amount of \$25.00 payable to Town of New Windsor.

Photos of existing premises which show all present signs and landscaping.

		(b)	Describe in detail the use and structures proposed for the special permit.
			Multi-family residential units to conform with New York State
			and New Windsor Building Codes.
			÷ ,
X	VIII.	Addi	itional comments:
		(a)	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
			Development will retain existing mansion, circular roadway and adjoining
			trees. Siting of new buildings is intended to afford each unit a view
			of the river and permit pedestrian traffic to have complete access to the
			site. Circular roadway is to be re-built to Town specifications and be
			dedicated so that all Town residents may enjoy the vista.
X	IX.	Atta	achments required:
			Copy of letter of referral from Building and Zoning Inspector.
		***************************************	Copy of contract of sale, lease or franchise agreement.
		X	Copy of tax map showing adjacent properties
		_X	Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
			Copy(ies) of sign(s) with dimensions.
		X	Check in amount of \$25.00 payable to Town of New Windsor.
		Photo	os of existing premises which show all present signs and landscaping.
		All j	photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
			Other

The second secon

0193

,	(b)	The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.
		Not Applicable
777	G : ~	n Marian sa Not Amiliashia
VI.	_	n Variance: Not Applicable Variance requested from New Windsor Zoning Local Law, Section, Table, Column
		Requirements Proposed or Variance Request
		Sign 1
		Sign 2
		Sign 3
		Sign 4
		Sign 5
		Totalsq.ftsq.ftsq.ft.
	(b)	Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.
		Not Applicable
		•
	(c)	What is total area in square feet of all signs on premises including
		signs on windows, face of building, and free-standing signs?
	•	Not Applicable

•				ij	k
		• parameter and and a shape of the first of the second and and)	
			#		_

vi.	Sig	n Varianc	e: Not Applicab	le	
	(a)	Variance Section	requested from Table	n New Windsor Z	Soning Local Law,
			Requirements	Proposed or Available	<u>Variance</u> Request
		Sign l	,		-
		Sign 2	***************************************		
		Sign 3			
		Sign 4			
		Sign 5		4-14-14-14-14-14-14-14-14-14-14-14-14-14	***************************************
		τ		, ^	
		Total	sq.ft.	sq.ft.	sq.ft.
	,		<u>'</u>		
	(b)	variance	in detail the , and set forth oversize signs	your reasons	nich you seek a for requiring
		Not Appl	icable		
		<u> </u>			
	(c)	What is t	otal area in squa	re feet of all si	gns on premises includ
			- windows, face of 1		
					e bearang brans.

(Official Use Only)

X. AFFIDAVIT.

Date 25 Sep 75

STATE OF NEW YORK)

OUNTY OF ORANGE)

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Uncert Q. Coff. V.P.

Sworn to before me this

ZBA Action:

XI.

WAYNE J. KLINGMAN
Notary Public, State of New York
No. 44-7305000
Residing in Orange County
Commission Expires March 30, 1976

(a) Public Hearing date

(b)	Variance is
(;	Special Permit is
(c)	Conditions and safeguards

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS.

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Vincet Q. Gff., V.P.

Sworn to before me this

ZT day of SEPT., 1975.

WAYNE J. KLINGMAN

Notary Public, State of New York

No. 44-7305000

Residing in Orange County

Commission Expires March 30, 1976

XI.

ZBA	Action:
(a)	Public Hearing date
(b)	Variance is
(, ';	Special Permit is
(c)	Conditions and safeguards

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESO-LUTION OF ZONING BOARD OF APPEALS.

PUBLIC NOTICE OF HEARING BEFORE THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33 A of the Zoning Ordinance on the following proposition:

	Appeal No. 30
]	Request of KANAJE CORPORATION for a
3	SPECIAL USE WAXY MARKEXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
1	the Zoning Ordinance, to permit the construction of 342 (describe proposal)
<u>]</u>	Multi-family dwelling units
,	SPECIAL USE being a Vaxxixxxxxxxxxxxxxxxxxxxxxxxxx ,
	of Table of Use Regulations - Column B Section 5.8.6 / , for property xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
:	as follows: on Route 9W, formerly Oakland Academy property,
, -	Town of New Windsor, New York.
_	
	-
•	
SAID HEAI	RING will take place on the 6th day of October ., 1975,
at the New	Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.
beginning a	at 8:30 o'clock P. M.
	THEODORE JARGSTORF,
1	Chairman

555 Union Avenue New Windsor, N. Y. 12550 September 29, 1975

Joseph Loscalzo, Chairman New Windsor Planning Board 555 Union Avenue New Windsor, N.Y. 12550

RE: PUBLIC HEARINGS FOR ZONING BOARD OF APPEALS

Dear Mr. Loscalzo:

Enclosed please find applications together with public hearing notices pertinent to the public hearings which are to be held on Monday evening, October 6, 1975 before the ZBA:

8 p.m. - Application of Emmitt and Bernetha Day

8:30 p.m. - Application of Kanaje Corporation for Special Permit

Yours very truly,

PATRICIA DELIO, Secretary

/pd

Enclosures

cc: Howard Collett, Building Inspector



TOWN OF NEW WINDSOR

Chairman
Ellsworth E Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

September 25, 1975

Kanaje Corporation 323 North Main Street Spring Valley, New York

RE: Property located in New Windsor, New York

Gentlemen:

According to my records, the attached list of property owners are within the five hundred (500) feet of the above mentioned property.

The charge for this service is \$30.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

ELLSWORTH E. WEYANT

Sole Assessor

Town of New Windsor

EEW/pk att.



TOWN OF NEW WINDSOR

Chairman
Ellsworth E Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

Sarcka, John & Marie
123 Quassaick Avenue
New Windsor, New York 12550

Penny, Paul & Barbara 169 River Road New Windsor, New York 12550

Fischer, Ruth E.

1 Blooming Grove Turnpike
New Windsor, New York 12550

Krom, George R. Jr. & Donald T. C/O Windsor Building Supplies P.O. Box 27
Newburgh, new York 12550

Wilson, William T. Rte. 9W By-Pass Cornwall, New York 12518

Penn Central Railroad General Property Tax Manager 466 Lexington Avenue Room 1041 New York, New York 10017

Cornwall-New Windsor Realty Corp. 16 Old 9W C/O B.C.A. New Windsor P.O. Box 24
Englewood New Jersey 07631 / Moerman, R

Dori Associates, Inc. ý P.O. Box 4097 New Windsor, New York 12550

Petro, Richard P. & Marie 24 Stori Road Newburgh, New York 12550

Le Floch, Eugene M. & Marcel
Oak Concourse
Central Valley, New York 10917

DiCarlo, Anthony

66 Melrose Avenue
New Windsor, New York 12550

Faye & South End Ave. Realty Corp.

162 South Main street
New City, New York 10956

Plona, Albert S. & Margaret P.
305 Hudson Street
Cornwall On Hudson New York 12520

Forestierre, Jasper A. 462 River Road Newburgh, New York 12550

Alcor Petroleum Corp.

C/O Texaco Inc. Tax Dept.
P.O. Box 1722
Atlanta Georgia 30301

Harris, Benjamin P.O. Box 2552 Newburgh, new York 12550

Dittbrenner, Frank & Eileen M.
16 Old 9W
New Windsor, New York 12550

Moerman, Richard C/O Fontes Motor Court Route 9W New Windsor, New York 12550

Roth, Virginia 502 North River Road Newburgh, New York 12550

St. Thomas Episcopal Church 188 River Road New Windsor, New York 12550

Steadman, Col. Frank M. 19 Blooming Grove Tpke. New Windson New York 12550



TOWN OF NEW WINDSOR

Chairman Ellsworth E Weyant 555 Union Avenue New Windsor, New York 12550 (914) 565-8808

Craig, Ruth
25 Blooming Grove Turnpike
New Windsor, New York 12550

Visconti, Frederick & Marion C/O Windsor Motel 114-124 Route 9W New Windsor, New York 12550

Ray, David Jr. & Helen
23 Lafayette Drive
New Windsor, New York 12550

Crist, Leroy R. Jr. & Phyliss R. 25 Lafayette Drive
New Windsor, New York 12550

Rhodes, Myron L. & Eleanor J. 27 Lafayette Drive
New Windsor, New York 12550

Bonnanno, J. & Piazzola M. & Papera G.
C/O Allstate Can Corp.
40 Isabella Street
Clifton, New Jersey 07012

Phelen, Diane

26 Lafayette Drive

New Windsor, New York 12550

Corey, Herbert C. & Caroline J. 26B Lafayette Drive New Windsor, New York 12550

Travers, Maurice

38 Lennox St.

Middletown, New York 10940

Turner, Richard & Diane J.

2 Lafayette Drive
New Windsor, New York 12550

Belsito, Ralph F. & Grace 4 Lafayette Drive New Windsor, New York 12550

Niedbala, John S. & Betty 6 Lafayette Drive New Windsor, New York 12550

Llewellyn, Robert & Amelia

8 Lafayette Drive
New Windsor, New York 12550

Sparling, Edwin & Edith 12 Lafayette Drive New Windsor, New York 12550

Vanasco, Richard & Sharon

/ 14 Lafayette Drive

New Windsor, New York 12550

Nucifore, Alan & Deborah

16 Lafayette Drive

New Windsor, New York 12550

Beyers, Edward C. & Marcia K. 18 Lafayette Drive New Windsor, New York 12550

Berttilina, Hazel M.

20 Lafayette Drive
New Windsor, New York 12550

Farina, Anthony 110 Route 9W New Windsor, New York 12550

Valicenti, Anthony & Vincent 82 Courtney Avenue Newburgh, New York 12550

Academy Venutures, Inc.
Route 9W
Highland Falls, New York 10928



TOWN OF NEW WINDSOR

Chairman Ellsworth E. Weyant 555 Union Avenue New Windsor, New York 12550 (914) 565-8808

Gaillard, Everett G. 96 Route 9W New Windsor, New York 12550

Respectfully submitted,

ELLSWORTH E. WEYANT

Sole Assessor

Town of New Windsor





